

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND

Baltimore Division

IN RE:

CURTIS D. FLOOD

Debtor.

Case No. 10-37227 RAG
Chapter 13

CURTIS D. FLOOD,

Plaintiff,

v.

OCWEN LOAN SERVICING, LLC;
U.S. BANK TRUST, N.A., as Trustee for
LSF9 Master Participation Trust; and
CALIBER HOME LOANS, INC.,

Defendants.

AP. No. 16-00142

JURY TRIAL DEMANDED

**MOTION TO STRIKE ANSWER AND AFFIRMATIVE DEFENSES OF
DEFENDANTS CALIBER HOME LOANS, INC. AND U.S. BANK TRUST, N.A. AS
TRUSTEE FOR LSF9 MASTER PARTICIPATION TRUST**

Plaintiff Curits Flood (“**Plaintiff**”), by his undersigned attorney, pursuant to Rules 8(b) and Rule 12(f) of the Federal Rules of Civil Procedure and Rule 7008 and Rule 7012 of the Federal Rules of Bankruptcy Procedure respectfully moves the Court to strike the answer and affirmative defenses of Defendant Caliber Home Loans, Inc. and U.S. Bank Trust, N.A. as Trustee for LSF9 Master Participation Trust (“**Defendants**”).

In support of his Motion, Plaintiff, submits a Memorandum of Points and Authorities, which is incorporated by reference herein.

Dated: May 20, 2016

Respectfully submitted,

/s/ Morgan W. Fisher

Morgan W. Fisher (#28711)
Law Offices of Morgan Fisher LLC
172 West Street
Annapolis, MD 21401

PH: 410-626-6111
mwf@morganfisherlaw.com

CERTIFICATE OF SERVICE

I HEREBY CERTIFY, that on this 20th day of May 2016, I served a copy of the Plaintiff's **Motion to Strike, Memorandum and Proposed Order** via the Court's CM/ECF system to all Defendants and via email to the Chapter 13 Trustee and United States Trustee, Baltimore Division as follows:

Service List

Thomas D. Kohn, Esq.
Kimberly H. Neal, Esq.
Pessin Katz Law, P.A.
901 Dulaney Valley Road, Suite 500
Towson, MD 21204

Via CM/ECF: Thomas D. Kohn tkohn@pklaw.com
(Counsel for Defendants Caliber Home Loans, Inc., U.S. Bank Trust, N.A)

James Billings-Kang, Esq.
Joseph Patry, Esq
600 New Hampshire Avenue NW
Washington, DC 20037

Via CM/ECF: jbillings-kang@blankrome.com & JPatry@BlankRome.com
(Counsel for Defendant Ocwen Loan Servicing, LLC)

Gerard Vetter, Esq.
Interim Chapter 13 Trustee & Assistant United States Trustee
Office of The United States Trustee
101 West Lombard Street
Suite 2625
Baltimore, MD 21201

Dated May 20, 2016

/s/ Morgan W. Fisher
Morgan W. Fisher #28711